

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSIE GARCIA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:21-cv-01799-SAB

ORDER DENYING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*
WITHOUT PREJUDICE AND REQUIRING
PLAINTIFF TO FILE LONG FORM
APPLICATION

(ECF No. 2)

TWENTY-ONE DAY DEADLINE

Plaintiff Jessie Garcia filed a complaint on December 21, 2021, challenging a final decision of the Commissioner of Social Security denying an application for disability benefits. Plaintiff did not pay the filing fee in this action and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF No. 2.) However, Plaintiff's application does not currently provide sufficient information for the Court to conclude that they are entitled to proceed in this action without prepayment of fees. Specifically, where the application requires information pertaining to Plaintiff's ownership of valuable property, Plaintiff submits that they own the house they live in, and that it was inherited. (ECF No. 2 at 2.) However, the application requires Plaintiff to specify the value of the property, and Plaintiff has not done so. Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is unwilling

1 to complete and submit the long form application, Plaintiff must pay the filing fee in full.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. Plaintiff's application to proceed *in forma pauperis* is DENIED without prejudice;
- 4 2. The Clerk of the Court is directed to forward an *in forma pauperis* application
5 (Long Form) to Plaintiff;
- 6 3. Within **twenty-one (21) days** of the date of this order, Plaintiff shall either (1)
7 pay the \$402.00 filing fee for this action, or (2) file a long form application to
8 proceed *in forma pauperis* without prepayment of the fee; and
- 9 4. If Plaintiff fails to comply with this order, this action shall be dismissed.

10 IT IS SO ORDERED.

11 Dated: **December 27, 2021**

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14 UNITED STATES MAGISTRATE JUDGE
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